

GAU 3301
3712 \$1

PATENT
Attorney Docket No. 6148.0018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECHNOLOGY CENTER 3700

In re Application of:

Gary K. MICHELSON, M.D.

Serial No.: 08/484,928

Group Art Unit: 3301

Filed: June 7, 1995

Examiner: M. Brown

For: FRUSTO-CONICAL INTERBODY)
SPINAL FUSION IMPLANTS)

#14

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Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final Action or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$240.00 as specified by Section 1.17(p).

Based on reasonable inquiry, no document listed in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and no document listed in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

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07/01/1999 TLW11

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A copy of the listed document is attached.

Applicant respectfully requests that the Examiner consider the listed document and indicate it was considered by making appropriate notations on the attached form. Applicant also notes that three (3) signed Form 1449's submitted with the Information Disclosure Statements dated July 9, 1997, December 19, 1997 and January 14, 1999, courtesy copies are attached, have yet to be received by Applicant. Applicant requests the Examiner to provide copies of all four (4) of the signed Form 1449's to the Applicant.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that listed document is material or constitute "prior art." If the Examiner applies the document as prior art against any claims in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

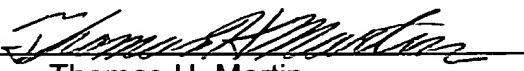
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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
Thomas H. Martin
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Date: June 30, 1999

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